

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9801 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? No.

2. To be referred to the Reporter or not? No.

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3. Whether Their Lordships wish to see the fair copy of the judgement? No.

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? No.

5. Whether it is to be circulated to the Civil Judge? No.

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RAMESHBHAI NANJIBHAI PATEL

Versus

STATE OF GUJARAT

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Appearance:

MR SUREN M SHAH, Advocate, for Petitioner

MR KAUSHAL J THAKER, Advocate, for Respondent No. 1

MR HARIN P RAVAL, Advocate, for Respondent No. 3

MR BD KARIA, Adsvocate, Advocate for respondent no.5.

Respondent Nos.2, 4, 6 to 9 served.

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CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 04/05/96

ORAL JUDGEMENT

This Special Civil Application has been filed

against two inter locutory orders, dated 3-8-1995 passed by the Charity Commissioner, State of Gujarat in summary case proceedings under Section 37 of the Bombay Public Trusts Act, 1950 (Hereinafter referred to as the Act of 1950). The applications filed by the petitioner have been decided by the reasoned orders. The orders being inter locutory, calls for no interference in exercise of power under Articles 226 and 227 of the Constitution of India. This Special Civil Application is, accordingly, rejected.

2. It is stated by the learned Advocate for the respondent Trust that inspite of serious efforts made by the Charity Commissioner, for one or the other reason, disposal of the application u/s 36 of the Act of 1950 has been delayed.

3. Considering the facts of the case, it is directed that the application filed by the trust u/s 36 of the Act of 1950, pending before the Charity Commissioner, State of Gujarat, shall be decided within a period of six months from the date of receipt of writ of this petition.

4. Rule is discharged. Interim relief vacated.

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